

## **APPENDIX C**

### **Proposed Count 1:**

A toothbrush comprising a handle and an articulated head, said head having at least two sections to thereby define a composite head having an upper surface and a lower surface, said at least two sections having respective longitudinally spaced ends facing each other, each of said head sections having a plurality of bristles extending from the lower surface thereof, said facing ends having an elastomeric material therebetween, said handle having a molded-in channel that may be used to introduce elastomeric material into said head.

### **Proposed Count 2:**

A toothbrush comprising a handle and an articulated head, said head having at least two sections to thereby define a composite head having an upper surface and a lower surface, said at least two sections having respective longitudinally spaced ends facing each other, each of said head sections having a plurality of tufts of bristles extending from the lower surface thereof, said facing ends having an elastomeric material therebetween, wherein the length of the elastomer between the facing ends of said two head sections varies, said length being measured along the toothbrush longitudinal axis.

### **Proposed Count 3:**

A method of producing a toothbrush comprising: molding, of one material, a toothbrush handle aligned with and integrally joined to a composite head, the composite head including at least a first and a second section, the composite head having an upper and lower surface, the first section and the second section having respective longitudinally spaced ends facing each other, the handle having a molded in channel that may be used to introduce

elastomeric material into said head; injecting an elastomer into the molded in channel; and tufting both the first section and the second section each with a plurality of tufts.

**Proposed Count 4:**

A method of producing a toothbrush comprising: molding, of one material, a toothbrush handle aligned with and integrally joined to a composite head, the composite head including at least a first and a second section, the composite head having an upper and lower surface, the first section and the second section having respective longitudinally spaced ends facing each other, the handle having a molded in channel that may be used to introduce elastomeric material into said head; injecting an elastomer between said facing ends of said first and second sections; and tufting both the first section and the second section each with a plurality of tufts.

## APPENDIX D

Support for claims 9-30 can be found in the specification of the Cann Application filed June 20, 2003 as follows:

Cann Application Claims	Support in Cann Application
9. A toothbrush comprising a handle and an articulated head,  said head having at least two sections to thereby define a composite head having an upper surface and a lower surface, said at least two sections having respective longitudinally spaced ends facing each other, each of said head sections having a plurality of tufts of bristles extending from the lower surface thereof, said facing ends having an elastomeric material therebetween,	Page 3, lines 19-26: "The toothbrush of this invention comprises a handle . . . and a head which has traverse grooves that allow the head to flex. . . ."  Page 6, lines 1-2: "The head includes traverse grooves on at least one of the bristle-bearing face and the opposing face, the grooves dividing the head into segments."  Page 5, lines 24-27: ". . . the head including a pair of opposing faces, one of the pair being a bristle-bearing face with bristles attached to and extending from the face, wherein at least one of the pair has one or more elastomer-containing traverse grooves therein."  Page 5, lines 34-35: "The head itself is also generally elongated, with its elongated axis also being a longitudinal axis."  Page 10, lines 9-11: ". . . one or more elastomer supply channels extending between the elastomeric handle regions and the traverse grooves. . . ."
10. The toothbrush of claim 9, wherein the handle includes a grip, and  wherein elastomeric material may be introduced into said molded-in channel through said grip.	Page 4, lines 7-8: "The elastomeric regions in the handle are generally designed to act as hand or finger grips. . . ."  Page 4, lines 23-24: ". . . the elastomer injection point is located at the distal end of the handle."
11. The toothbrush of claim 9, wherein at least some of the tufts extending from the bottom surface of one of said head sections are of uniformly different lengths.	Page 10, lines 1-3: ". . . the diameter and length of the bristles can vary within the usual dimensions known by a person skilled in the art."  Fig. 1, bristles 6
12. The toothbrush of claim 9, wherein the free ends of at least some of the tufts extending from one of said head sections form a slant with respect to the lower surface of said head section.	Page 10, lines 1-3: ". . . the diameter and length of the bristles can vary within the usual dimensions known by a person skilled in the art."  Fig. 1, bristles 6

Cann Application Claims	Support in Cann Application
13. The toothbrush of claim 12, wherein the elastomer between the facing ends forms at least one wing portion along the longitudinal axis of the upper surface of the head.	<p>Page 7, lines 19-20: "The grooves are preferably tapered slightly inwards towards the bottom of the groove..."</p> <p>Fig. 1, elastomer 5 in grooves 4</p>
14. The toothbrush of claim 9, wherein the elastomer between the facing ends is generally T shaped.	<p>Page 6, lines 14-15: "The head also includes one or more longitudinal grooves on at least one of the bristle-bearing face and the opposing face."</p> <p>Page 6, lines 26-27: "The grooves can be of variable width and depth and the distances between grooves can also be varied."</p> <p>Page 7, lines 19-20: "The grooves are preferably tapered slightly inwards towards the bottom of the groove..."</p> <p>Fig. 1, elastomer 5 in grooves 4</p> <p>Fig. 4</p>
15. The toothbrush of claim 12, wherein the elastomer between the facing ends is generally T shaped.	<p>Page 6, lines 14-15: "The head also includes one or more longitudinal grooves on at least one of the bristle-bearing face and the opposing face."</p> <p>Page 6, lines 26-27: "The grooves can be of variable width and depth and the distances between grooves can also be varied."</p> <p>Page 7, lines 19-20: "The grooves are preferably tapered slightly inwards towards the bottom of the groove..."</p> <p>Fig. 1, elastomer 5 in grooves 4</p> <p>Fig. 4</p>

Cann Application Claims	Support in Cann Application
<p>16. A toothbrush comprising a handle and an articulated head,</p> <p>said head having at least two sections to thereby define a composite head having an upper surface and a lower surface, said at least two sections having respective longitudinally spaced ends facing each other, each of said head sections having a plurality of tufts of bristles extending from the lower surface thereof, said facing ends having an elastomeric material therebetween, wherein at least some of the tufts extending from the bottom surface of one of said head sections are of uniformly different lengths, wherein at least some of the free ends of the tufts extending from one of said head sections form a slant with respect to the lower surface of said head section,</p> <p>wherein the length of the elastomer between the facing ends of said two head sections varies, said length being measured along the toothbrush longitudinal axis.</p>	<p>Page 3, lines 19-26: "The toothbrush of this invention comprises a handle . . . and a head which has traverse grooves that allow the head to flex. . . ."</p> <p>Page 6, lines 1-2: "The head includes traverse grooves on at least one of the bristle-bearing face and the opposing face, the grooves dividing the head into segments."</p> <p>Page 5, lines 24-27: ". . . the head including a pair of opposing faces, one of the pair being a bristle-bearing face with bristles attached to and extending from the face, wherein at least one of the pair has one or more elastomer-containing traverse grooves therein."</p> <p>Page 5, lines 34-35: "The head itself is also generally elongated, with its elongated axis also being a longitudinal axis."</p> <p>Page 10, lines 1-3: ". . . the diameter and length of the bristles can vary within the usual dimensions known by a person skilled in the art."</p> <p>Fig. 1, bristles 6</p> <p>Page 6, lines 26-27: "The grooves can be of variable width and depth and the distances between grooves can also be varied."</p> <p>Page 7, lines 19-20: "The grooves are preferably tapered slightly inwards towards the bottom of the groove..."</p> <p>Fig. 1, elastomer 5 in grooves 4</p>
<p>17. The toothbrush of claim 16, wherein the elastomer between the facing ends forms at least one wing portion along the longitudinal axis of the upper surface of the head.</p>	<p>Page 6, lines 26-27: "The grooves can be of variable width and depth and the distances between grooves can also be varied."</p> <p>Page 7, lines 19-20: "The grooves are preferably tapered slightly inwards towards the bottom of the groove..."</p> <p>Fig. 1, elastomer 5 in grooves 4</p>

Cann Application Claims	Support in Cann Application
<p>18. The toothbrush of claim 17, wherein the elastomer between the facing ends is generally T shaped.</p>	<p>Page 6, lines 26-27: "The grooves can be of variable width and depth and the distances between grooves can also be varied."</p> <p>Page 6, lines 14-15: "The head also includes one or more longitudinal grooves on at least one of the bristle-bearing face and the opposing face."</p> <p>Page 7, lines 19-20: "The grooves are preferably tapered slightly inwards towards the bottom of the groove..."</p> <p>Fig. 1, elastomer 5 in grooves 4</p> <p>Fig. 4</p>
<p>19. A toothbrush comprising a handle and an articulated head,</p> <p>said head having at least two sections to thereby define a composite head having an upper surface and a lower surface, said at least two sections having respective longitudinally spaced ends facing each other, each of said head sections having a plurality of tufts of bristles extending from the lower surface thereof,</p> <p>said facing ends having an elastomeric material therebetween,</p> <p>wherein the length of the elastomer between the facing ends of said two head sections varies, said length being measured along the toothbrush longitudinal axis.</p>	<p>Page 3, lines 19-26: "The toothbrush of this invention comprises a handle . . . and a head which has traverse grooves that allow the head to flex. . . ."</p> <p>Page 6, lines 1-2: "The head includes traverse grooves on at least one of the bristle-bearing face and the opposing face, the grooves dividing the head into segments."</p> <p>Page 5, lines 24-27: ". . . the head including a pair of opposing faces, one of the pair being a bristle-bearing face with bristles attached to and extending from the face, wherein at least one of the pair has one or more elastomer-containing traverse grooves therein."</p> <p>Page 5, lines 34-35: "The head itself is also generally elongated, with its elongated axis also being a longitudinal axis."</p> <p>Page 8, line 16: "The grooves on at least one face of the brush contain elastomer. . . ."</p> <p>Page 6, lines 26-27: "The grooves can be of variable width and depth and the distances between grooves can also be varied."</p> <p>Page 7, lines 19-20: "The grooves are preferably tapered slightly inwards towards the bottom of the groove..."</p> <p>Fig. 1, elastomer 5 in grooves 4</p>

Cann Application Claims	Support in Cann Application
20. The toothbrush of claim 19, wherein the elastomer between the facing ends forms at least one wing portion along the longitudinal axis of the upper surface of the head.	<p>Page 6, lines 26-27: "The grooves can be of variable width and depth and the distances between grooves can also be varied."</p> <p>Page 7, lines 19-20: "The grooves are preferably tapered slightly inwards towards the bottom of the groove..."</p> <p>Fig. 1, elastomer 5 in grooves 4</p>
21. The toothbrush of claim 19, wherein the elastomer between the facing ends is generally T shaped.	<p>Page 7, lines 19-20: "The grooves are preferably tapered slightly inwards towards the bottom of the groove..."</p> <p>Page 6, lines 26-27: "The grooves can be of variable width and depth and the distances between grooves can also be varied."</p> <p>Page 6, lines 14-15: "The head also includes one or more longitudinal grooves on at least one of the bristle-bearing face and the opposing face."</p> <p>Fig. 1, elastomer 5 in grooves 4</p> <p>Fig. 4</p>
22. A method of producing a toothbrush comprising:  molding, of one material, a toothbrush handle aligned with and integrally joined to a composite head, the composite head including at least a first and a second section, the composite head having an upper and lower surface, the first section and the second section having respective longitudinally spaced ends facing each other, the handle having a molded in channel that may be used to introduce elastomeric material into said head;	<p>Page 14, line 1: "A method for making the toothbrush . . ."</p> <p>Page 3, lines 19-26: "The toothbrush of this invention comprises a handle . . . and a head which has traverse grooves that allow the head to flex. . . ."</p> <p>Page 6, lines 1-2: "The head includes traverse grooves on at least one of the bristle-bearing face and the opposing face, the grooves dividing the head into segments."</p> <p>Page 5, lines 28-30: "Preferably the head and handle are co-moulded in a single injection molding step, so that the head and handle form one continuous piece."</p> <p>Page 5, lines 24-27: ". . . the head including a pair of opposing faces, one of the pair being a bristle-bearing face with bristles attached to and extending from the face, wherein at least one of the pair has one or more elastomer-containing traverse grooves therein."</p> <p>Page 5, lines 34-35: "The head itself is also generally elongated, with its elongated axis also being a longitudinal axis."</p>

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<p>injecting an elastomer into the molded in channel; and</p> <p>tufting both the first section and the second section each with a plurality of tufts.</p>	<p>Page 10, lines 9-11: "... one or more elastomer supply channels extending between the elastomeric handle regions and the traverse grooves . . ."</p> <p>Page 3, lines 27-29: "... supply channels . . . enabling the elastomer in both the head grooves and handle regions to be supplied from a single elastomer injection point."</p> <p>Page 8, line 33: "The brush head has bristles extending from one of the two pair of opposing faces."</p> <p>Page 10, line 3: "The bristles are generally conventionally grouped into tufts . . ."</p>
<p>23. The method of claim 22, wherein the tufts extending from one of said head sections are of uniformly different lengths.</p>	<p>Page 10, lines 1-3: "... the diameter and length of the bristles can vary within the usual dimensions known by a person skilled in the art."</p> <p>Fig. 1, bristles 6</p>
<p>24. The method of claim 22, wherein the length of the elastomer between the facing ends of said two head sections varies, said length being measured along the toothbrush longitudinal axis.</p>	<p>Page 6, lines 26-27: "The grooves can be of variable width and depth and the distances between grooves can also be varied."</p> <p>Page 7, lines 19-20: "The grooves are preferably tapered slightly inwards towards the bottom of the groove..."</p> <p>Fig. 1, elastomer 5 in grooves 4</p>
<p>25. The method of claim 22, wherein the step of tufting both the first section and the second section is performed after the step of injecting an elastomer into the molded in channel.</p>	<p>Page 10, lines 5-6: "The bristles can be inserted into the segments or the elastomer, preferably with the harder material of the segments."</p>

Cann Application Claims	Support in Cann Application
<p>26. A method of producing a toothbrush comprising:</p> <p>molding, of one material, a toothbrush handle aligned with and integrally joined to a composite head, the composite head including at least a first and a second section, the composite head having an upper and lower surface, the first section and the second section having respective longitudinally spaced ends facing each other, the handle having a molded in channel that may be used to introduce elastomeric material into said head;</p> <p>injecting an elastomer between said facing ends of said first and second sections;</p>	<p>Page 14, line 1: "A method for making the toothbrush..."</p> <p>Page 3, lines 19-26: "The toothbrush of this invention comprises a handle ... and a head which has traverse grooves that allow the head to flex ...."</p> <p>Page 6, lines 1-2: "The head includes traverse grooves on at least one of the bristle-bearing face and the opposing face, the grooves dividing the head into segments."</p> <p>Page 5, lines 28-30: "Preferably the head and handle are co-moulded in a single injection molding step, so that the head and handle form one continuous piece."</p> <p>Page 5, lines 24-27: "... the head including a pair of opposing faces, one of the pair being a bristle-bearing face with bristles attached to an extending from the face, wherein at least one of the pair has one or more elastomer-containing traverse grooves therein."</p> <p>Page 5, lines 34-35: "The head itself is also generally elongated, with its elongated axis also being a longitudinal axis."</p> <p>Page 10, lines 9-11: "... one or more elastomer supply channels extending between the elastomeric handle regions and the traverse grooves...."</p> <p>Page 3, lines 27-29: "... supply channels ... enabling the elastomer in both the head grooves and handle regions to be supplied from a single elastomer injection point."</p> <p>Page 10, lines 19-23: "The longitudinal groove permits molten elastomer to flow from an injection point to the elastomer handle regions and then further to the traverse grooves in the head. This is generally achieved by a separate injection moulding step after the moulding of the handle and the segments of the head has been completed."</p>

Cann Application Claims	Support in Cann Application
<p>and tufting both the first section and the second section each with a plurality of tufts,</p> <p>wherein the length of the elastomer between the facing ends of said two head sections varies, said length being measured along the toothbrush longitudinal axis.</p>	<p>Page 8, line 33: "The brush head has bristles extending from one of the two pair of opposing faces."</p> <p>Page 10, line 3: "The bristles are generally conventionally grouped into tufts ...."</p> <p>Page 6, lines 26-27: "The grooves can be of variable width and depth and the distances between grooves can also be varied."</p> <p>Page 7, lines 19-20: "The grooves are preferably tapered slightly inwards towards the bottom of the groove..."</p> <p>Fig. 1, elastomers 5 in grooves 4</p>

Cann Application Claims	Support in Cann Application
<p>27. A method of producing a toothbrush comprising:</p> <p>molding, of one material, a toothbrush handle aligned with and integrally joined to a composite head, the composite head including at least a first and a second section, the composite head having an upper and lower surface, the first section and the second section having respective longitudinally spaced ends facing each other, the handle having a molded in channel that may be used to introduce elastomeric material into said head;</p> <p>injecting an elastomer between said facing ends of said first and second sections; and</p> <p>tufting both the first section and the second section each with a plurality of tufts.</p>	<p>Page 14, line 1: "A method for making the toothbrush..."</p> <p>Page 3, lines 19-26: "The toothbrush of this invention comprises a handle . . . and a head which has traverse grooves that allow the head to flex. . . ."</p> <p>Page 6, lines 1-2: "The head includes traverse grooves on at least one of the bristle-bearing face and the opposing face, the grooves dividing the head into segments."</p> <p>Page 5, lines 28-30: "Preferably the head and handle are co-moulded in a single injection molding step, so that the head and handle form one continuous piece."</p> <p>Page 5, lines 24-27: ". . . the head including a pair of opposing faces, one of the pair being a bristle-bearing face with bristles attached to and extending from the face, wherein at least one of the pair has one or more elastomer-containing traverse grooves therein."</p> <p>Page 5, lines 34-35: "The head itself is also generally elongated, with its elongated axis also being a longitudinal axis."</p> <p>Page 10, lines 9-11: ". . . one or more elastomer supply channels extending between the elastomeric handle regions and the traverse grooves. . . ."</p> <p>Page 3, lines 27-29: ". . . supply channels . . . enabling the elastomer in both the head grooves and handle regions to be supplied from a single elastomer injection point."</p> <p>Page 10, lines 19-23: "The longitudinal groove permits molten elastomer to flow from an injection point to the elastomeric handle regions and then further to the traverse grooves in the head. This is generally achieved by a separate injection moulding step after the moulding of the handle and the segments of the head has been completed."</p> <p>Page 8, line 33: "The brush head has bristles extending from one of the two pair of opposing faces."</p> <p>Page 10, line 3: "The bristles are generally conventionally grouped into tufts. . . ."</p>

Cann Application Claims	Support in Cann Application
<p>28. The method of claim 27, wherein the tufts are organized as rows substantially transverse to the longitudinal axis of the toothbrush handle, and wherein the rows of tufts extending from one of said head sections are of uniformly different lengths.</p>	<p>Page 9, lines 22-23 ". . . the free ends of the bristles lying along a longitudinal axis of the brush . . ."</p> <p>Page 10, lines 1-3: ". . . the diameter and length of the bristles can vary within the usual dimensions known by a person skilled in the art."</p>
<p>29. The method of claim 27, wherein the step of tufting both the first section and the second section is performed after the step of injecting an elastomer between said facing ends of said first and second sections.</p>	<p>Page 10, lines 5-6: "The bristles can be inserted into the segments or the elastomer, preferably with the harder material of the segments."</p>
<p>30. A toothbrush comprising a handle and an articulated head, said head having at least two sections to thereby define a composite head having an upper surface and a lower surface, said at least two sections having respective longitudinally spaced ends facing each other, each of said head sections having a plurality of tufts of bristles extending from the lower surface thereof, said facing ends having an elastomeric material therebetween, said handle area having a molded-in channel that may be used to introduce elastomeric material into said head,</p> <p>wherein the length of the elastomer between facing ends of said head sections varies, said length being measured along the toothbrush longitudinal axis.</p>	<p>Page 3, lines 19-26: "The toothbrush of this invention comprises a handle . . . and a head which has traverse grooves that allow the head to flex. . . ."</p> <p>Page 6, lines 1-2: "The head includes traverse grooved on at least one of the bristle-bearing face and the opposing face, the grooves dividing the head into segments."</p> <p>Page 5, lines 24-27: ". . . the head including a pair of opposing faces, one of the pair being a bristle-bearing face with bristles attached to and extending from the face, wherein at least one of the pair has one or more elastomer-containing traverse grooves therein."</p> <p>Page 5, lines 34-35: "The head itself is also generally elongated, with its elongated axis also being a longitudinal axis."</p> <p>Page 10, lines 9-11: ". . . one or more elastomer supply channels extending between the elastomeric handle regions and the traverse grooves. . . ."</p> <p>Page 6, lines 26-27: "The grooves can be of variable width and depth and the distances between grooves can also be varied."</p> <p>Figure 1 and Page 7, lines 19-20: "The grooves are preferably tapered slightly inwards towards the bottom of the groove..."</p>